

## **REMARKS**

Reconsideration of the patent application in view of the following remarks is respectfully requested. Upon entry of this Amendment, Applicants will have cancelled claims 32-44 without prejudice and added new claims 59-78. Support for the new claims can be found in the specification, for example, in the originally filed claims and page 5, line 25 to page 9, line 6.

### **I. Final Office Action of October 21, 2003**

In the Final Office Action of October 21, 2003, the Examiner rejected claims 32-44. In the current response, claims 32-44 are being cancelled and new claims 59-78 are being added. Accordingly, claims 59-78 will be pending in this application.

### **II. Rejection of the Claims Under 35 U.S.C. § 103(a)**

In the final office action of October 21, 2003, the Examiner rejected claims 32-44 under 35 U.S.C. § 103(a) as being unpatentable over *Groat et al.* (US-2002/0111884 A1) (hereafter referred to as “*Groat*”). The Applicants have cancelled claims 32-44 and added new claims 59-78, and as the rejection may be applied to new claims 59-78, respectfully traverse.

As amended, independent claim 59 contains a combination of elements neither suggested nor taught by *Groat*. Claim 59 recites a method for ordering and tracking products for a data center where the data center contains one or more assets. The method includes the following steps:

creating an asset record for an asset that is needed in the data center, whereby the asset is comprised of at least one component;

creating a purchase order for the at least one component of the asset;

storing the asset record and purchase order information in a management database, wherein the stored purchase order information is associated with the asset record in the management database;

transmitting the purchase order for the component to a supplier, vendor or buying agent;

after the creating an asset record step, receiving the component along with information regarding the purchase order of the component; and

retrieving and updating the asset record in the management database using the received purchase order information,

wherein each of the method steps are performed by a single entity.

*Groat* does not disclose or suggest each limitation of new claim 59. For example,

*Groat* does not disclose storing the asset record and purchase order in a management database, wherein the stored purchase order is associated with the asset record in the management database, as required in claim 59. In fact, no mention is made of purchase order information in *Groat*, or of its storage and association with an asset record in the central datastore 322 of *Groat*. *Groat* also does not suggest storing and associating purchase order information since the management system of *Groat* is an **asset-based** information tracking system and not a **transactional-based** system (paragraph 37). As disclosed in paragraph 37 of *Groat*, “an asset-based information tracking system permits

a party in possession of an asset to gain information about the asset without having to reconstruct the series of transactions visited upon the asset," (emphasis added). As such, *Groat* teaches against storing transaction based information, such as purchase order information regarding a purchase transaction.

*limitation doesn't necessarily mean this*

Furthermore, Groat does not disclose retrieving and updating the asset record in the management database using the received purchase order information, as required in claim 59. As stated above, this is due to the fact that *Groat* does not teach or suggest storing purchase order information in the central datastore 322 or associating purchase order information with an asset record. In paragraph 41, *Groat* discloses the method steps that occur after the manufacturer receives a pump from the supplier. Nowhere is it disclosed or suggested that an asset record is retrieved and updated using received purchase order information, as required in claim 59.

Finally, Groat does not disclose that each of the method steps are performed by the same entity, as required in claim 59. It is obvious that, in *Groat*, the supplier does not perform each of the method steps of claim 59 since the supplier does not create and transmit the purchase order for the component or receive the component. It is also obvious that, in *Groat*, the manufacturer does not perform each of the method steps of claim 59 since the manufacturer does not receive the component after it creates an asset record for the asset, as required in claim 59. As disclosed in paragraph 41 of *Groat*, the manufacturer receives and installs the pump into the refrigerator before it stores information with respect to the pump and the refrigerator to the central datastore 322.

This distinction goes to the fundamental difference between claim 59 and *Groat*: in

*Groat*, the purchaser of a component (the manufacturer) does not set up an asset record relating to the component before the component is ordered and received since the system in *Groat* is not designed to track purchase orders of a purchaser. This is why *Groat* does not disclose the use of purchase orders or the purchasing steps between the supplier and manufacturer. In contrast, claim 59 requires that the asset record relating to a component be created before the component is even received, as this will make tracking of purchase orders easier and with greatly reduced error.

Thus, *Groat* does not teach or suggest each limitation of new claim 59. As such, Applicants submit that claim 59 is in allowable form. New claims 60-72 are dependent, either directly or indirectly, upon independent claim 59. Therefore, for the same reasons claim 59 is patentable over the cited references, claims 60-72 are patentable over the cited references.

New independent claim 73 is a computer readable medium claim containing limitations similar to independent claim 59. As such, Applicants submit that claim 73 is in allowable form. New claims 74-78 are dependent, either directly or indirectly, upon claim 73 and are allowable for at least the same reasons as claim 73.

## **CONCLUSION**

In view of the foregoing, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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